

in the said formulary, in that it contained not more than 3.678 grams of the anhydrous alkaloids of quinine and strychnine per 1,000 cubic centimeters, equivalent to 1.678 grams per fluid ounce of the article, whereas the National Formulary provides that the article shall contain in each 1,000 cubic centimeters, 8.750 grams of quinine hydrochloride and 0.175 grams of strychnine sulphate, equivalent to 7.29 grams of the anhydrous alkaloids of quinine and strychnine per 1,000 cubic centimeters, or, 3.32 grains of the anhydrous alkaloids of quinine and strychnine per each fluid ounce; and the standard of strength, quality, and purity of the article was not declared on the container.

On March 18, 1935, a plea of nolo contendere was entered on behalf of the defendant company and the court found the defendant not guilty.

M. L. WILSON, *Acting Secretary of Agriculture.*

24507. Adulteration and misbranding of mineral oil and misbranding of liquefied carbolic acid, spirit of camphor, and castor oil. U. S. v. Continental Drug Corporation. Plea of nolo contendere. Fine, \$210 and costs. (F. & D. no. 31318. Sample nos. 4278-A, 4282-A, 4824-A, 4825-A, 4827-A, 15673-A.)

This case was based on interstate shipments of drugs which were short volume and a shipment of mineral oil which failed to conform to the standard laid down in the United States Pharmacopoeia because of the presence of sulphur.

On July 3, 1934, the United States attorney for the Southern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Continental Drug Corporation, trading at Alton, Ill., alleging shipment by said company in violation of the Food and Drugs Act, on or about January 27, April 14, June 25, and August 20, 1932, from the State of Illinois into the State of Wisconsin of quantities of liquefied carbolic acid, spirit of camphor, and castor oil which were misbranded, and on or about June 17, 1932, from the State of Illinois into the State of Missouri of a quantity of mineral oil which was adulterated and misbranded. The articles were labeled, variously: "Carbolic Acid Liquid * * * 1 fld. oz."; "Spirit Camphor * * * 1 fld. oz."; "Liquefied Carbolic Acid * * * 1 fld. oz. [and '1 oz.']"; "Castor Oil * * * 8 fld. oz. [and '8 oz.']* * * Continental Drug Corporation St. Louis [or 'Alton Ill.']*"; "Russian Mineral Oil U. S. P. * * * Distributed by Ell-Dee Mfg. Co. St. Louis Mo."

The mineral oil was alleged to be adulterated in that it was sold under a name recognized in the United States Pharmacopoeia and differed from the standard of strength, quality, and purity as determined by the tests laid down in the said pharmacopoeia official at the time of investigation in that it contained sulphur; whereas the pharmacopoeia provides that mineral oil shall contain no sulphur compounds.

Misbranding of the said mineral oil was alleged for the reason that the statement "Mineral Oil U. S. P.", borne on the bottle label, was false and misleading since the said statement represented that the article was mineral oil which conformed to the standard laid down in the United States Pharmacopoeia; whereas it was not mineral oil which conformed to the said standard.

Misbranding of the liquefied carbolic acid, spirit of camphor, and castor oil was alleged for the reason that the statements "1 fld. oz.", and "1 oz.", with respect to the liquefied carbolic acid and spirit of camphor, and the statements "8 fld. ozs." and "8 ozs." with respect to the castor oil, were false and misleading since the bottles contained less than declared.

On March 12, 1935, a plea of nolo contendere was entered on behalf of the defendant company and the court imposed a fine of \$210 and costs.

M. L. WILSON, *Acting Secretary of Agriculture.*

24508. Misbranding of Hydroxene. U. S. v. Llewellyn B. Ritter (Hydroxene Co.). Plea of nolo contendere. Defendant placed on probation for two years (F. & D. no. 31328. Sample no. 33618-A.)

This case involved a drug preparation the labeling of which contained unwarranted curative and therapeutic claims.

On March 1, 1934, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Llewellyn B. Ritter, trading as the Hydroxene Co., Los Angeles, Calif., alleging shipment by said defendant in violation of the Food and Drugs Act as amended, on or about March 23, 1932, from

the State of California into the State of Texas of a quantity of Hydroxene which was misbranded.

Analysis by this Department showed that the article consisted essentially of a watery solution of zinc chloride and sodium chloride flavored with oil of peppermint.

The article was alleged to be misbranded in that certain statements, designs, and devices regarding its therapeutic and curative effects, appearing on the bottle labels, falsely and fraudulently represented that it was effective as a treatment, remedy, and cure for pyorrhea alveolaris (chronic periodontitis), trench mouth (Vincent's infection), sore throat, tonsillitis, bleeding or spongy gums, canker sores and eczema; and effective to keep the mouth healthy.

On March 28, 1935, the defendant entered a plea of nolo contendere. On April 15, 1935, the court ordered that defendant be placed on probation for 2 years.

M. L. WILSON, *Acting Secretary of Agriculture.*

24509. Adulteration and misbranding of H. G. C. U. S. v. Acme Chemical Mfg. Co., Ltd., and William T. Jay. Pleas of guilty. Fines, \$100. (F. & D. no. 31439. Sample nos. 7072-A, 13225-A, 18286-A, 33634-A, 33692-A.)

This case was based on various shipments of H. G. C., the labels of which contained unwarranted curative and therapeutic claims. The labels of two of the shipments also contained unwarranted antiseptic claims.

On July 26, 1934, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Acme Chemical Manufacturing Co., Ltd., a corporation, and William T. Jay, of New Orleans, La., alleging shipment by said defendants in violation of the Food and Drugs Act as amended, between the dates of February 10, 1932, and April 3, 1933, from the State of Louisiana into the States of Alabama, Mississippi, and Texas, of quantities of H. G. C., which was misbranded and portions of which were also adulterated.

Analyses showed that the article consisted essentially of borax, berberine, sulphate, and water. Bactericidal tests showed that the article was not antiseptic when used in accordance with directions in a leaflet accompanying certain shipments.

The information charged that the product in two of the shipments was adulterated in that it was represented to be antiseptic when used as directed, whereas it was not antiseptic when used as directed.

Misbranding was alleged for the reason that the statement, "Especially recommended as a Douche for Females Antiseptic" appearing in a leaflet accompanying two of the shipments, was false and misleading, since the said statement represented that the article was antiseptic when used as directed; whereas it was not antiseptic when used as directed.

Misbranding was alleged for the further reason that certain statements, designs, and devices regarding its therapeutic and curative effects, appearing on the bottle label and carton, and in a circular shipped with all lots and a leaflet shipped with certain lots, falsely and fraudulently represented that the article was effective as a treatment for male and female disorders; effective as an antiseptic, healing, and strengthening douche for females; and effective as a treatment for male and female disorders, when used as an injection for men and as a douche for women.

On January 7, 1935, the defendants were arraigned and entered pleas of not guilty. On January 30, 1935, motions to quash and for a bill of particulars were argued and overruled. On February 14, 1935, the defendants entered pleas of guilty and the court imposed fines totaling \$100.

M. L. WILSON, *Acting Secretary of Agriculture.*

24510. Adulteration and misbranding of Yerkes White Liniment. U. S. v. Yerkes Chemical Co., Inc. Plea of guilty. Fine, \$25. (F. & D. no. 31460. Sample no. 30427-A.)

This case was based on an interstate shipment of Yerkes White Liniment, the labeling of which bore unwarranted curative and therapeutic claims. Analysis showed that the article contained a smaller percentage of chloroform than declared.

On May 17, 1934, the United States attorney for the Middle District of North Carolina, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Yerkes Chemical Co., Inc., Winston-Salem, N. C., alleging shipment by said company in violation of the Food and